

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Nov 08, 2023

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

TYLER LESLIE MARSHAL,

Plaintiff,

v.

T. MAITLAND,

Defendant.

No. 2:23-CV-00257-SAB

**ORDER DISMISSING ACTION
FOR FAILURE TO COMPLY
WITH FILING FEE AND *IN*
FORMA PAUPERIS
REQUIREMENTS**

By Order filed October 6, 2023, the Court directed Plaintiff Tyler Leslie Marshal, a prisoner at the Airway Heights Corrections Center, to comply with 28 U.S.C. § 1915(a)(2) which requires a prisoner seeking to bring a civil action without prepayment of the filing fee to submit a certified copy of his trust fund account statement (or institutional equivalent) for the six months immediately preceding the filing of the complaint on September 5, 2023. ECF No. 6. The Court cautioned Plaintiff that his failure to comply with these requirements or to pay the full \$402.00 filing fee within **thirty days** would result in the file being closed. *Id.* Plaintiff neither paid the filing fee nor submitted his account statement by the due date of November 6, 2023.

//

//

**ORDER DISMISSING ACTION FOR FAILURE TO COMPLY WITH
FILING FEE AND *IN FORMA PAUPERIS* REQUIREMENTS -- 1**

1 Accordingly, **IT IS HEREBY ORDERED:**

2 1. This action is **DISMISSED WITHOUT PREJUDICE** for failure to
3 pay the filing fee under 28 U.S.C. § 1914 or to comply with the *in forma pauperis*
4 requirements of 28 U.S.C. § 1915.

5 2. The Clerk's Office is directed to **ENTER JUDGMENT** and **CLOSE**
6 the file.

7 3. The Court certifies any appeal of this dismissal would not be taken in
8 good faith.

9 **IT IS SO ORDERED.** The Clerk's Office is directed to enter this Order and
10 provide copies to Plaintiff at his last known address.

11 **DATED** this 8th day of November 2023.



16 

17 Stanley A. Bastian
18 Chief United States District Judge
19
20
21
22
23
24
25
26
27
28